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SUPREME COURT OF THE UNITED STATES

JAMES L. MARTIN, petitioner

(3)
: No. 91-5852

v.

JULIE KNOX, HON. CLARKSON S. FISHER, et. al., respondents

Petitioner's Rule 15.7 Supplemental Brief

According to Rule 15.7, "[a]ny party may file a supplemental brief at any time while a petition for a writ of certiorari is pending calling attention to . . . intervening matter not available at the time of the party's last filing." Since I prepared the Petition for a Writ of Certiorari on 9-14-91, respondent Judge Clarkson S. Fisher granted my petition for a writ of mandamus directed against him in a closely related case, at No. 91-3206, which is pending in the NJ Federal District Court. A copy of the Order of Recusal, dated 9-16-91, is attached. Because the issues overlap, and because the evidence in support of the recusal in No. 91-3206, which was granted, is identical to the evidence adduced in support of the recusal motion in the case sub judice, issue C in this petition may be viewed as moot, and issue D may be viewed as conceded, in view of the recusal order attached.

Respectfully submitted,

DATED: November 4, 1991

James L. Martin

James L. Martin, 912 McCabe Ave., Wilmington, DE 19802 (302) 652-3957

JAMES L. MARTIN,

Plaintiff,

v.

JOHN J. FRANCIS, JR., et al.,

Defendants.

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SEP 16 1991

WILLIAM T. WALSH, CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil No. 91-3206 (CSF)

ORDER OF
RECUSAL

ENTERED

ON
THE DOCKET
SEP. 16 1991
WILLIAM T. WALSH, CLERK
By *[Signature]* (Deputy Clerk)

It appearing that plaintiff herein, James L. Martin, filed a petition for a writ of mandamus with the United States Court of Appeals for the Third Circuit seeking my recusal from hearing the matter entitled Martin v. Knox, Civil Action No. 91-1145, and related cases and all cases related to Martin v. Townsend, et al., Civil Action No. 90-2616, aff'd, No. 88-5862 (3d Cir. April 20, 1989), which petition was denied by the court of appeals on September 6, 1991; and having, in my discretion, determined that my impartiality might reasonably be questioned because I was named nominal respondent in the mandamus petition, see 28 U.S.C. § 455; and good cause appearing,

IT IS on this *16th* day of September, 1991,

ORDERED that I hereby recuse myself from hearing the within matter; and it is further

ORDERED that the Clerk submit the within matter to the Chief Judge for reassignment.

[Signature]
CLARKSON S. FISHER
United States District Judge

SUPREME COURT OF THE UNITED STATES

JAMES L. MARTIN, petitioner

: No. 91-5852

v.

HON. CLARKSON S. FISHER,
respondent

Certificate of Service

I, James L. Martin, hereby certify that I served a true and correct copy of the **Petitioner's Rule 15.7 Supplemental Brief** by first-class, postage-prepaid mail this 5th day of September 1991 on counsel for the respondents who appeared and on respondent Judge Clarkson Fisher, addressed as follows:

Irene Dowdy, Asst. US Atty; US DOJ; 402 E. State St.; Rm 502; Trenton, NJ 08608;

Hon. Clarkson S. Fisher: US District Court, NJ; Rm 235 US Courthouse; 402 E. State St.; Trenton, NJ 08605

BY: *James L. Martin*

James L. Martin; 912 McCabe Ave.; Wilmington, DE 19802; (302) 652-3957